



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,655	03/14/2002	Yaacov Almog	UDX	2825

26418 7590 11/24/2003

REED SMITH, LLP
ATTN: PATENT RECORDS DEPARTMENT
599 LEXINGTON AVENUE, 29TH FLOOR
NEW YORK, NY 10022-7650

EXAMINER

HESS, BRUCE H

ART UNIT PAPER NUMBER

1774

DATE MAILED: 11/24/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,655

Applicant(s)

Almog et al.

Examiner

Bruce Hess

Group Art Unit

1774

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

☒ Responsive to communication(s) filed on 4-7-03 (Amendment)

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

☒ Claim(s) 1-24, 26, 28-57 and 60 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1-14, 16-24 and 26-32 is/are allowed.

☒ Claim(s) 33-55, 57 and 60 is/are rejected.

☒ Claim(s) 56 is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☐ All ☐ Some* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____

☐ Copies of the certified copies of the priority documents have been received
in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Reference(s) Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other _____

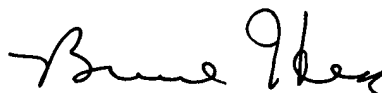
Office Action Summary

Art Unit: 1774

1. Upon reconsideration, the restriction/election requirement has been withdrawn.
2. Claims 1-14, 16-24, 26 and 28-32 are allowed.
3. Claim 56 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 15 and 47 are rejected under 35 USC 112 (second paragraph) as being indefinite in the recital of "the silica is chemically bonded to the rest of the coating".
How is silica "chemically bonded" to the coating?
5. Claims 33-46, 48-55, 57 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over the patent to Ichiro (JP 09-157315).

Ichiro teaches an article comprising a polymer sheet coated with at least 25 wt % nano-silica. UV cured acrylic material and an amine material can also be present. The discovery of a new function or property (e.g., improved printability) inherently possessed by things in the prior art does not cause a claim drawn to those things to distinguish over the prior art. In re Swinehart et al., 169 USPQ 226.

6. Applicants' attention is directed to a) the fact that Poly (see claims 21, 22, 53 and 54) should not be capitalized and b) the spelling of "oxyelthelene" in claims 22 and 54.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce Hess whose telephone number is 703-308-2402.



BRUCE H. HESS
PRIMARY EXAMINER